

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, DECEMBER 5, 2018**

MINUTES

1. The Willmar Planning Commission met on Wednesday, December 5, 2018, at 7:05 p.m. at the Willmar City Offices Conference Room #1.

**** Members Present:** Rolf Standfuss, Jeff Kimpling, Terry VanVeldhuizen, Terry Sieck, Jonathan Marchand, and Dr. Jerry Kjergaard.

**** Members Absent:** Steve Gardner, Cletus Frank, and Margaret Fleck.

**** Others Present:** Sarah Swedburg – Planner, Shelby Lindrud – Willmar, Christina Nelson – Willmar.

2. MINUTES: Minutes of the November 7, 2018 meeting were approved as presented.

3. MINNWEST CAMPUS COLLIN PETERSON OFFICE PLAN REVIEW– FILE NO. 18-10: Staff presented a plan review request on behalf of The MinnWest Technology Campus, Willmar, MN, to allow the use of office space by Collin Peterson (7th Congressional District Congressman) on campus property described as follows: Unit 5, MinnWest Technology Campus, CIC #40 A Planned Community (1700 Technology Dr. NE).

The Planning Commission reviewed and discussed staff comments (see Attachment A).

The Planning Commission reviewed and made affirmative findings of fact as per Zoning Ordinance Section 9.E.3.a.1-7.

Mr. Marchand made a motion, seconded by Mr. Sieck, to approve the plan review with the following condition:

- A. The use shall meet all applicable local, state, and federal rules and regulations at all times.

The motion carried.

4. MISCELLANY: Staff provided the Commission with updates on three items. First, Council has approved all appointments and reappointments for 2019; Jonathan Marchand and Terry Sieck will begin their first full term on the commission, and Christina Nelson will be replacing Margaret Fleck, as she will have completed 2 full terms.

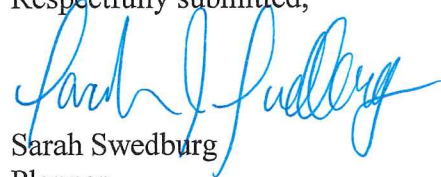
Second, the fence at the new 1st St Dairy Queen has been complete, but there are several gaps in the fence for what we assume are maintenance purposes. The City does not see a problem with the 6 foot gaps, however we have received complaints about the 30 foot

gap in the northeast corner. The Commission would like to see a gate put up in that area if it is intended for maintenance purposes.

Finally, Staff presented an idea discussed with The MinnWest Technology Campus to revisit the Land Use Permit requirements for the Technology Zone. Currently, all uses require a Plan Review, and there are a few uses that they would like considered to be permitted Outright. The Commission was agreeable and Staff will move forward with preparing recommendations for a text amendment.

5. There being no further business to come before the Commission the meeting adjourned at 7:24 p.m.

Respectfully submitted,



Sarah Swedburg
Planner

PLANNING COMMISSION – DECEMBER 5, 2018

STAFF COMMENTS

1. MINNWEST TECH CAMPUS PLAN REVIEW FOR COLLIN PETERSON OFFICE – FILE NO 18-10:

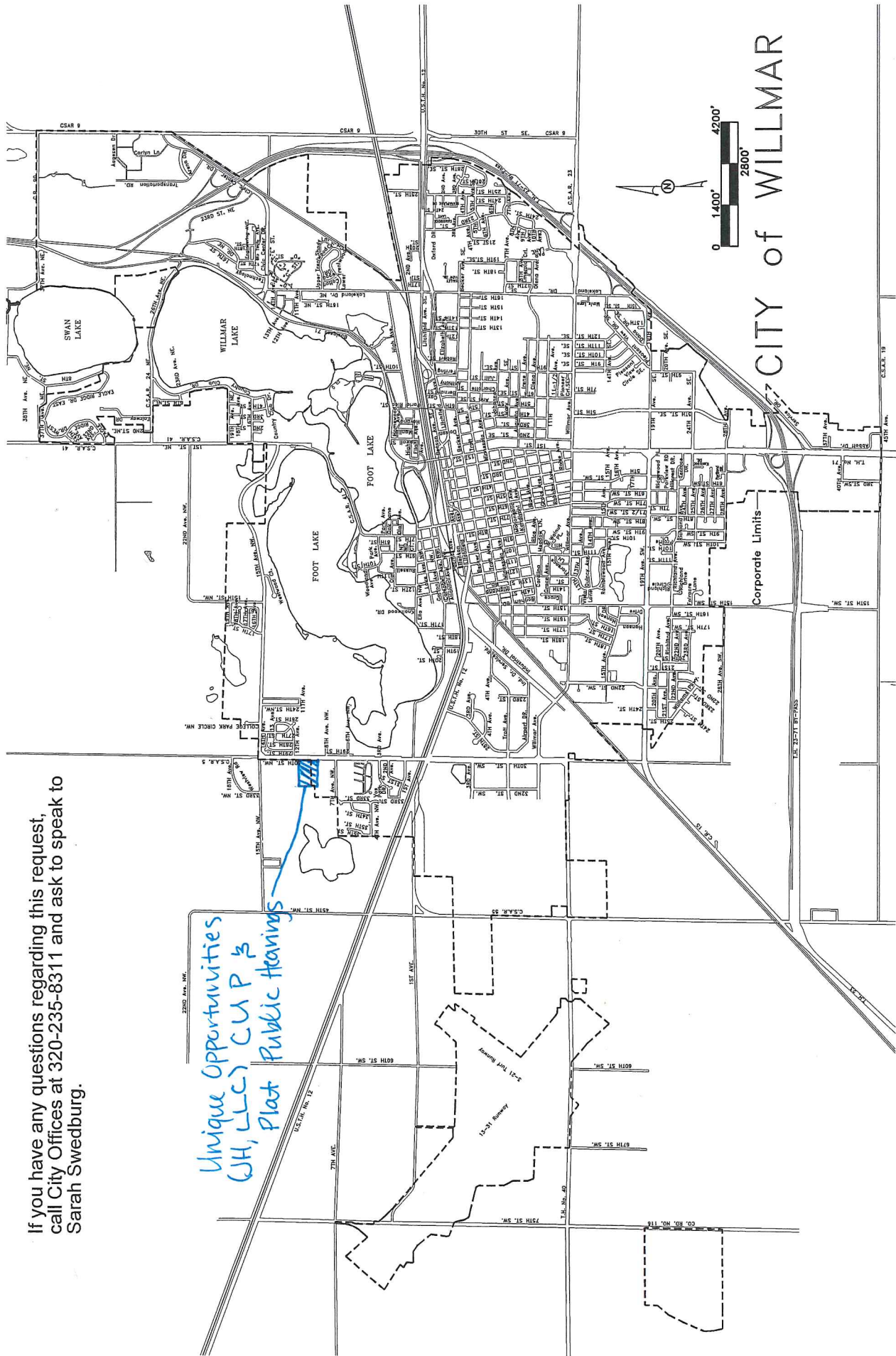
- The applicant is MinnWest Technology Campus.
- The applicant is requesting a plan review to allow Collin Peterson (7th Congressional District Congressman) to rent office space on campus property described as follows: Unit 5, MinnWest Technology Campus CIC #40, a Planned Community (1700 Technology Dr. NE).
- The property is zoned T (Technology District).
- Congressman Peterson currently rents office space downtown.
- Congressman Peterson is a ranking member of the House Agriculture Committee.
- The office use would be a good fit for the campus, and its professional office usage fits with the permitted uses in the Technology District.

RECOMMENDATION: Approve the plan review with the following condition:

- A. The use shall meet all applicable local, state, and federal rules and regulations at all times.

If you have any questions regarding this request, call City Offices at 320-235-8311 and ask to speak to Sarah Swedburg.

Unique Opportunities
CJH, LLC; CUP 3
Plot Public Hearings



**NOTICE OF HEARING ON A REQUEST FOR
A CONDITIONAL USE PERMIT**

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, January 2, 2018, at 7:01 p.m. at the City Office Building (Conference Room # 1 main floor), 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a conditional use permit requested by JH, LLC, Fergus Falls, MN, for a planned unit development to allow for 4, 72-unit multi-family apartment complexes on property described as: The North 764.71 feet of the South 1234.71 feet of the East 929.20 feet of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 8, Township 119, Range 35, Kandiyohi County, Minnesota. EXCEPT the East 75.00 feet of the North 300.00 feet of the South 770.00 feet of said SE 1/4 of the NE 1/4. Subject to easements of record.

All property owners or residents living in the vicinity of the above-described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter. The Planning Commission meeting agenda and packet can be found on the City's website Calendar (www.willmarmn.gov).

December 21, 2018
Date

Sarah J. Swedburg
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficiente, por favor comuníquese con Abby al 235-0850 ext. 1100, de Heartland Community Action Agency.

Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

JH, LLC

October 15, 2018

City of Willmar

333 6th St SW

Willmar, MN 56201

(320) 235-4913

Attn: Planning & Development Director

**RE: Letter of Intent for Proposed JH, LLC
Multi-Family Housing Development, Willmar MN**

Dear Mr. Peterson,

This letter of intent has been written to accompany the attached Planned Unit Development (PUD) and related approvals for the proposed Multi-Family Housing Development in Willmar MN. The Development will reside on approximately 15 acres which is located West of CR 5, North of Word of Faith Family Church. (Thorpe Property)

Project Summary

JH, LLC is proposing a Multi-Family Housing Development in the City of Willmar MN. The proposed development will consist of four (4) - 72 Unit buildings. The Apartments will all be independent of each other and built in phases, however they will be part of a larger development plan, the proposed planned unit development (PUD). Upon the completion of the development there will be ample green space, shared stormwater pond and multiple shared amenities in the apartments. A blanket easement will be drafted for the entire Development to ensure proper maintenance and operations.

Existing Site Conditions

- The land is currently used as Farmland and has crops planted there annually.
- Total PUD Density is under 20 units per acre

Development Breakdown and Staging:

- 72 Unit Apartment (NW Building) -Spring 2019 to Summer 2020
- 72 Unit Apartment (NE Building) -Spring 2020 to Summer 2021
- 72 Unit Apartment (SW Building) -Spring 2021 to Summer 2022
- 72 Unit Apartment (SE Building) -Spring 2022 to Summer 2023

(All Necessary Infrastructure will be included in each Phase of Development)

Building Design – Please reference attached Architectural and Civil Plans

The 72 Unit Apartment Complexes will consist of three stories. The Apartments will be slab on grade wood frame construction. Information regarding the Unit Layout and Sizes is available in the attached Architectural Plans. The buildings will be compliant with all state and local codes. The parking areas will meet or exceed all local parking stall requirements and be ADA compliant. The designated parking lot will be entirely Off-Street parking, it will meet all city requirements for pavement type and curbing. Each Building will have an elevator, secure entry, and video surveillance. Upon further project approvals we will submit a formal Landscape Plan for the city of Willmar to review, we will meet or exceed all city requirements for landscaping requirements.

VARIANCES AND NON-STANDARD FEATURES

As a part of the JH, LLC PUD the Applicant is requesting variances to a number of the provisions in the Willmar City Code, those variances are detailed here.

-Setbacks

We are requesting 20' setbacks for all sides of each building

-Unit Size

We are requesting the ability to have 72 units in each of the Apartment Buildings.

Staging

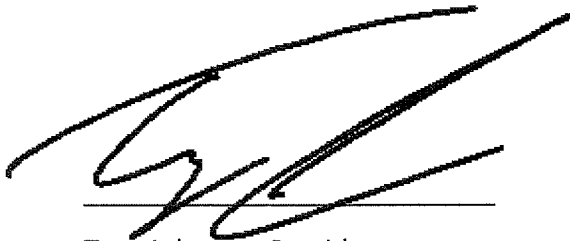
The Willmar Multi-Family Housing Development proposed by JH, LLC will consist of 4 Phases. Our Vision is to Create a Development that has positive attributes to the City of Willmar. Transforming the land in a way that leaves ample green space, dedicated park space, with a feeling of country living is our goal. We are excited to have the opportunity to help bring some much needed housing into the community of Willmar. We want this to be a project that the City of Willmar and the surrounding community is excited about.

Please reference attached Architectural and Civil plans for more detailed information regarding the Planned Unit Development (PUD).

If you have any questions or comments, please feel free to contact me at troy@unique-const.com or 218-770-6592

Sincerely,

JH, LLC

A handwritten signature in black ink, appearing to be 'TJ', written over a horizontal line.

Troy Johnson, President

JH, LLC

08/15/2018

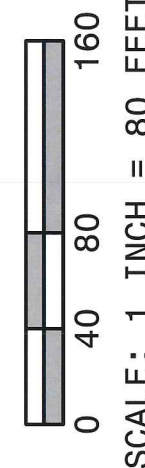
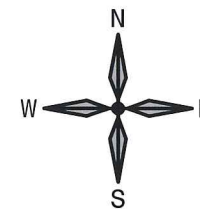


UNIQUE APARTMENTS

WILLMAR, MN

10/15/18

YHR
PARTNERS



**UNIQUE CONSTRUCTION
WILLMAR APARTMENTS**

WILLMAR, MINNESOTA

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: ANTHONY K. EUKEL

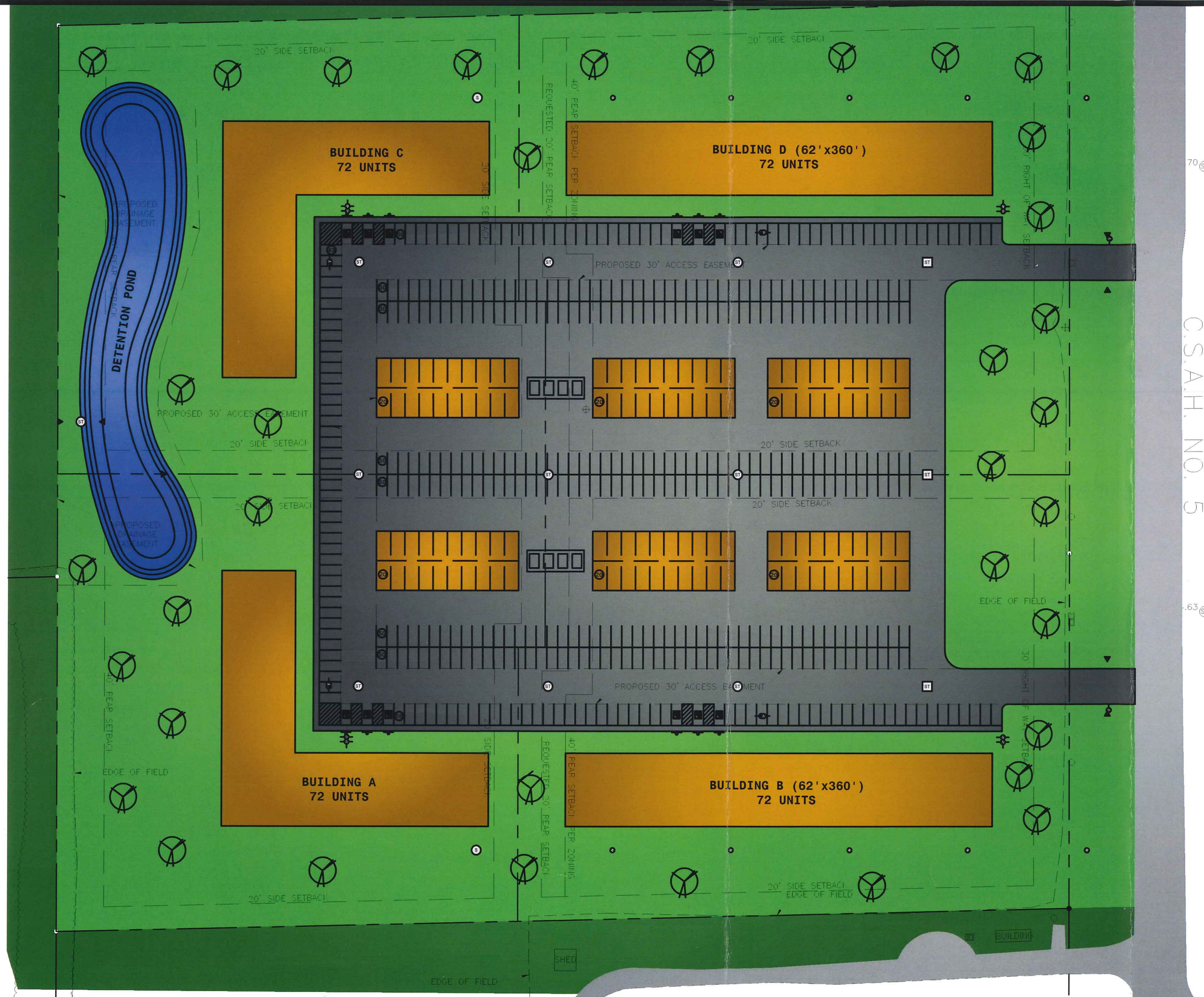
SIGNATURE:

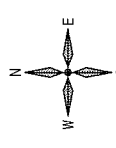
DATE: ??-??-?? LICENSE #: 48885

MBN JOB #: 18-188 DATE: 10-10-18

SITE PLAN

C1





MBN
ENGINEERING
MECHANICAL * ELECTRICAL * CIVIL
593 7TH AV. N., SUITE 200
MINNEAPOLIS, MN 55412
PHONE: 612.338.0336
FAX: 612.338.0340

SYMBOL LEGEND:

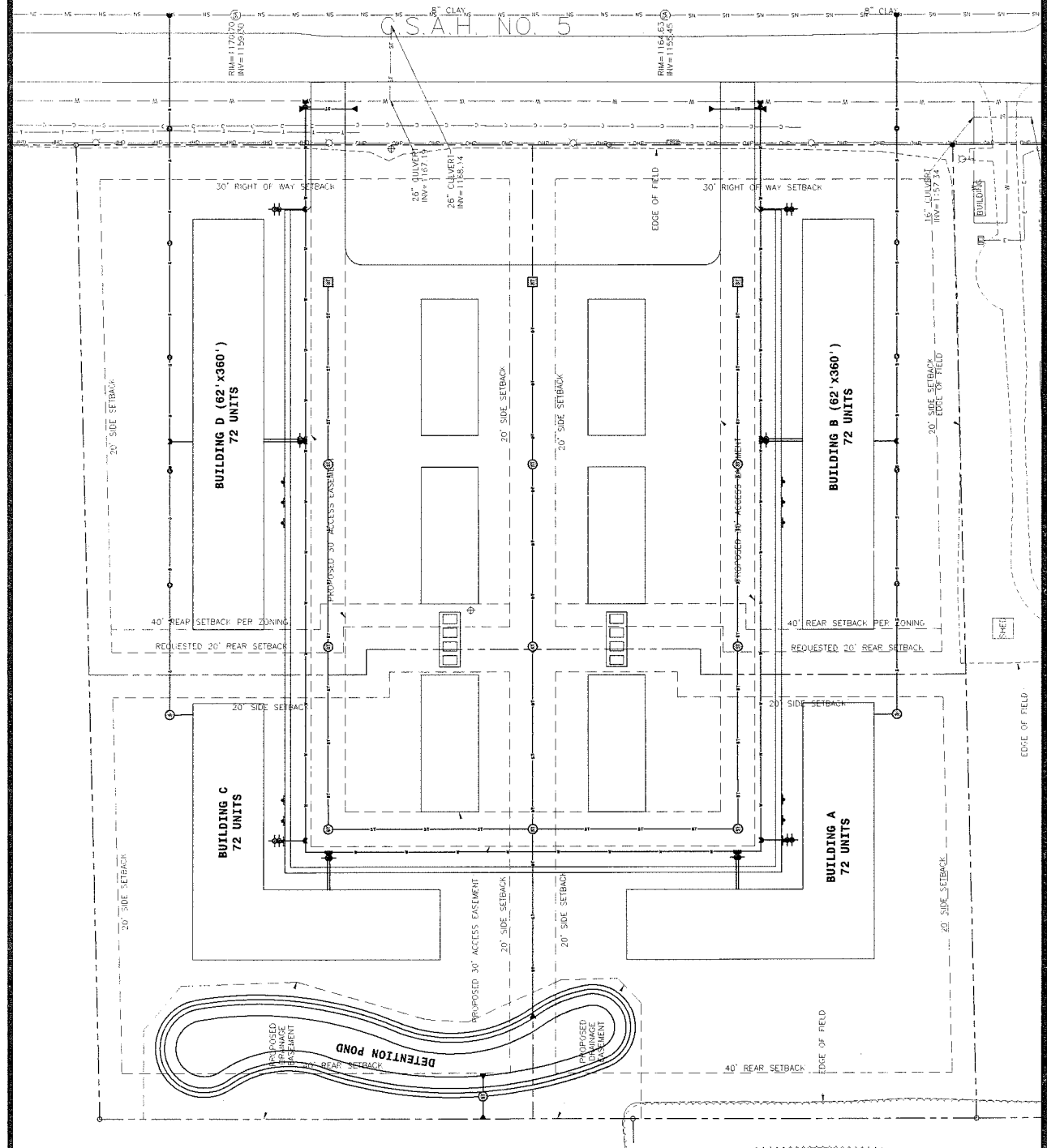
- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- EXISTING PROPERTY PIN
- EXISTING SANITARY MANHOLE
- EXISTING TILE DRAIN
- EXISTING FIRE HYDRANT
- EXISTING GATE VALVE
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING ELECTRICAL PEGPOST
- EXISTING CABLE PEGPOST
- EXISTING UNDERGROUND ELECTRIC
- EXISTING SANITARY SEWER LINE
- EXISTING WATERMAIN LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING UNDERGROUND CABLE LINE
- EXISTING STORM SEWER LINE
- NEW ACCESSIBLE SIGN
- NEW GATE VALVE
- NEW FIRE HYDRANT
- NEW SANITARY CLEANOUT
- NEW SANITARY MANHOLE
- NEW STORM DUCT
- NEW STORM MANHOLE
- NEW WATERMAIN LINE
- NEW SANITARY SEWER LINE
- NEW STORM SEWER LINE

PLAN NOTES:

1. ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF WILLMAR STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
2. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. Gopher State One Call Phone Number: 1-800-252-1166
3. CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DAMAGED OR DISTURBED SHALL BE REPLACED AT CONTRACTOR'S EXPENSE.
4. CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
5. CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF WILLMAR PRIOR TO START OF CONSTRUCTION.
6. IF THE LAND SURVEYER ASSIGNED BY THE PLANS INDICATES ONE (1) ACRE OR MORE, A GENERAL PERMIT FOR THE AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED WITH CONSTRUCTION TO DISCHARGE STORM WATER INTO A PUBLIC WATERWAY SHALL BE OBTAINED FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES (DNR) PRIOR TO CONSTRUCTION. PERMIT SHALL BE OBTAINED FROM THE DNR PRIOR TO CONSTRUCTION. PERMIT SHALL BE OBTAINED FROM THE DNR PRIOR TO CONSTRUCTION. PERMIT SHALL BE OBTAINED FROM THE DNR PRIOR TO CONSTRUCTION.
7. CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF WILLMAR WATERS AND SEWERS DEPARTMENT.
8. ALL GRADED AREAS DISTURBED BY CONSTRUCTION SHALL BE REVEGETATED (6" DEPTH), GRADED, SEED, AND HYDRO-MULCHED.

SITE NOTES:

SITE AREA: 493,410 SF (11.29 ACRES)
SITE IMPERVIOUS: 334,888 SF (7.48 ACRES) (67.25%)
REQUIRED: 200
PROPOSED: 200
GARAGE STALLS PROVIDED: 120
TOTAL GARAGE STALLS: 120
TOTAL PARKING PROVIDED: 579
ACCESSIBLE REQUIRED: 11.55 (% OF TOTAL)
ACCESSIBLE PROVIDED: 12

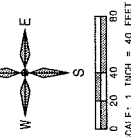


UNIQUE CONSTRUCTION
WILLMAR APARTMENTS

WILLMAR, MINNESOTA
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, AND NOTES WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNESOTA.
PRINT NAME: ANDREW K. ELMEL
ENGINEERING NO. 10100
DATE: 10-10-2011

MINN. JOB #: 10-10-2011
DATE: 10-10-2011

C2



SYMBOL LEGEND:

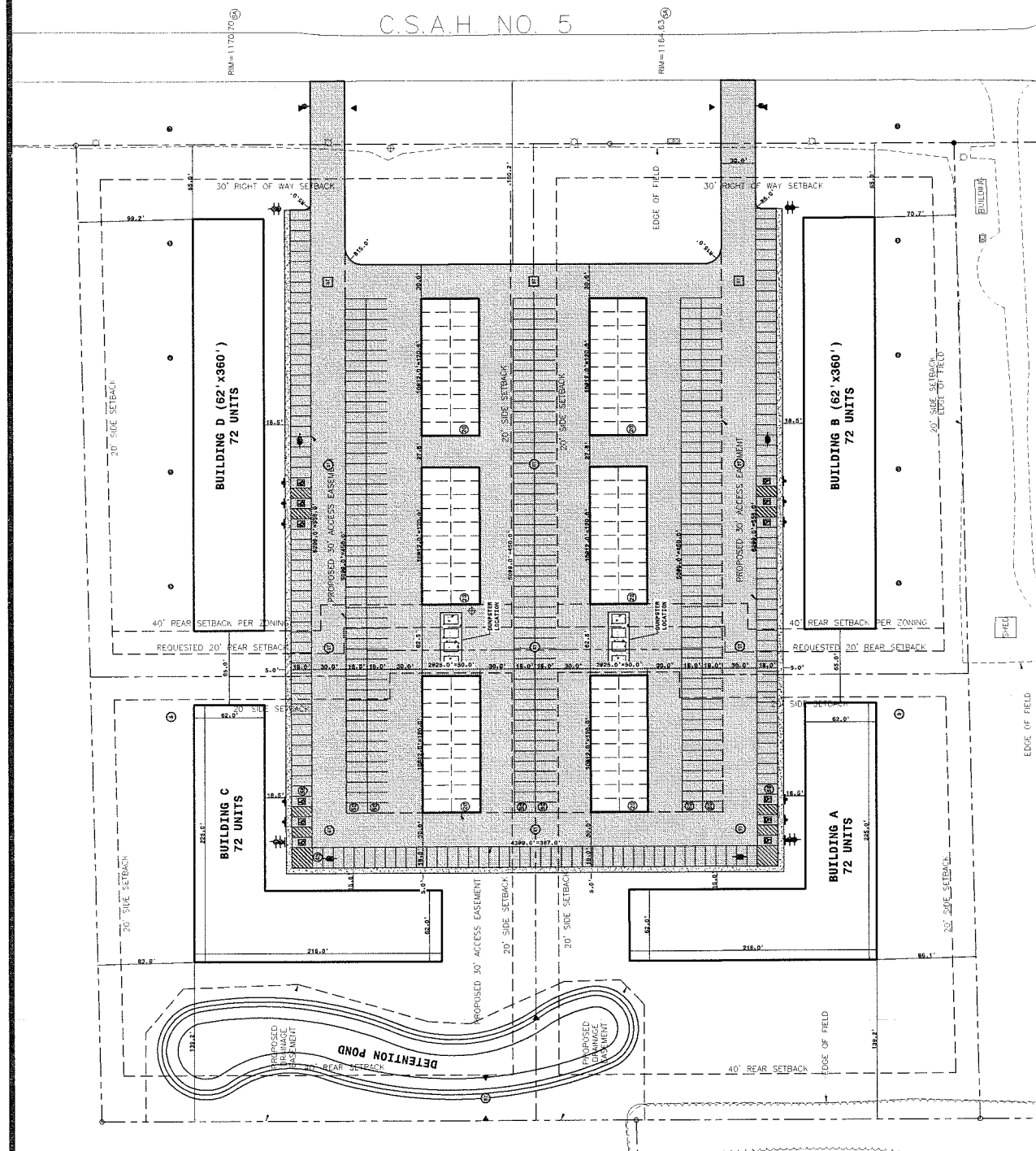
- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- EXISTING PROPERTY PIN
- EXISTING SANITARY MANHOLE
- EXISTING TILE INTAKE
- EXISTING FIRE HYDRANT
- EXISTING GATE VALVE
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING ELECTRICAL RECESSED
- EXISTING CABLE RECESSED
- NEW ACCESSIBLE SIGN
- NEW GATE VALVE
- NEW FIRE HYDRANT
- NEW SKEETARY CLEANOUT
- NEW SKEETARY MANHOLE
- NEW STORM INLET
- NEW STORM MANHOLE
- NEW STORM MANHOLE
- NEW CONCRETE SIDEWALK
- NEW CONCRETE PAVEMENT
- NEW ASPHALT PAVEMENT

PLAN NOTES:

- ALL WORK SHALL COMPLY WITH THE LATEST EDITION OF THE WILLMAR STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
- CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. THE CITY OF WILLMAR OFFICE MAY BE REACHED AT 1-800-252-1106.
- CONTRACTOR SHALL PROTECT ALL PROPERTY PINS, PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS EXPENSE.
- CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
- CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF WILLMAR PRIOR TO START OF CONSTRUCTION.
- IF THE LAND BOUNDARY SHOWN ON THE PLANS SHOWS A DISCREPANCY WITH THE ACTUAL BOUNDARY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A SURVEY FROM A LICENSED SURVEYOR TO DETERMINE THE CORRECT BOUNDARY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A SURVEY FROM A LICENSED SURVEYOR TO DETERMINE THE CORRECT BOUNDARY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A SURVEY FROM A LICENSED SURVEYOR TO DETERMINE THE CORRECT BOUNDARY.
- CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF WILLMAR BATHS AND HYDANTS.
- ALL EXISTING AREAS ASSUMED BY CONSTRUCTION SHALL BE TOPGRADED (4" MIN), GRADED, SEED, AND HYDRO-MULCHED.

SITE NOTES:

SITE AREA: 655,449 SF (15.06 ACRES)
TOTAL LOT AREA: 655,449 SF (15.06 ACRES) (51.25%)
PROPOSED UNITS: 576 STALLS (12 STALLS PER UNIT)
GARAGE STALLS PROVIDED: 320
EXTERIOR PARKING STALLS: 499
ACCESSIBLE REQUIRED: 11.56 (2% OF TOTAL)
ACCESSIBLE PROVIDED: 12



PAVING PLAN

MBN
ENGINEERING
MECHANICAL - ELECTRICAL - CIVIL
553 7TH ST. N. SUITE 200
WILLMAR, MN 56201
PHONE: 763.479.8236
FAX: 763.479.8240

WILLMAR, MINNESOTA
I HEREBY CERTIFY THAT THIS PLAN
WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT I AM A
DULY LICENSED PROFESSIONAL ENGINEER
IN THE STATE OF MINNESOTA.
PLANT NAME: WILLMAR APARTMENTS
DESIGNER: ANDREW S. EISEL
DATE: 11-17-22 LICENSE # 48862
MIN. JOS # 18-108 DATE: 10-10-18

C3

3 BR	2 BR	1 BR	2 BR	2 BR	2 BR	1 BR	2 BR	2 BR	1 BR	2 BR	2 BR	1 BR	2 BR	3 BR
3 BR	2 BR	1 BR	1 BR	2 BR	2 BR	1 BR	2 BR	2 BR	1 BR	1 BR	2 BR	1 BR	2 BR	3 BR
STAIR														STAIR/ELEV.

62' X 385'
23,870 S.F.

ALL FLOORS
 4-3 BR
 12-2 BRG
 8-1 BR
 24 TOTAL

72 TOTAL UNITS

WILLMAR 72 UNIT APARTMENT BUILDING

UNIQUE OPPORTUNITIES



WILLMAR, MINNESOTA

OCT 2018
 0 DEEDS/SALES

NOTICE OF HEARING ON A REQUEST TO SUBDIVIDE PROPERTY

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, January 2, 2019, at 7:03 p.m. at the City Office Building (Conference Room #1 main floor), 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a subdivision plat submitted by JH LLC, Fergus Falls, MN. Said plat is a subdivision of property described as: The North 764.71 feet of the South 1234.71 feet of the East 929.20 feet of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 8, Township 119, Range 35, Kandiyohi County, Minnesota. EXCEPT the East 75.00 feet of the North 300.00 feet of the South 770.00 feet of said SE 1/4 of the NE 1/4. Subject to easements of record.

All property owners or residents living in the vicinity of the above described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter. The Planning Commission meeting agenda and packet can be found on the City's website Calendar (www.willmarmn.gov).

December 21, 2018
Date

Sarah J. Swedburg
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficiente, por favor comuníquese con Abby al 235-0850 ext. 1100, de Heartland Community Action Agency.

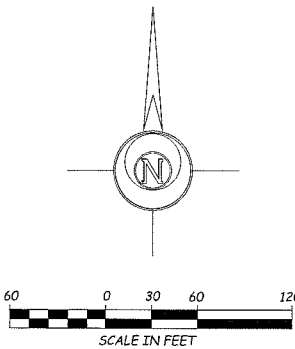
Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

PRELIMINARY PLAT OF:
UNIQUE OPPORTUNITIES

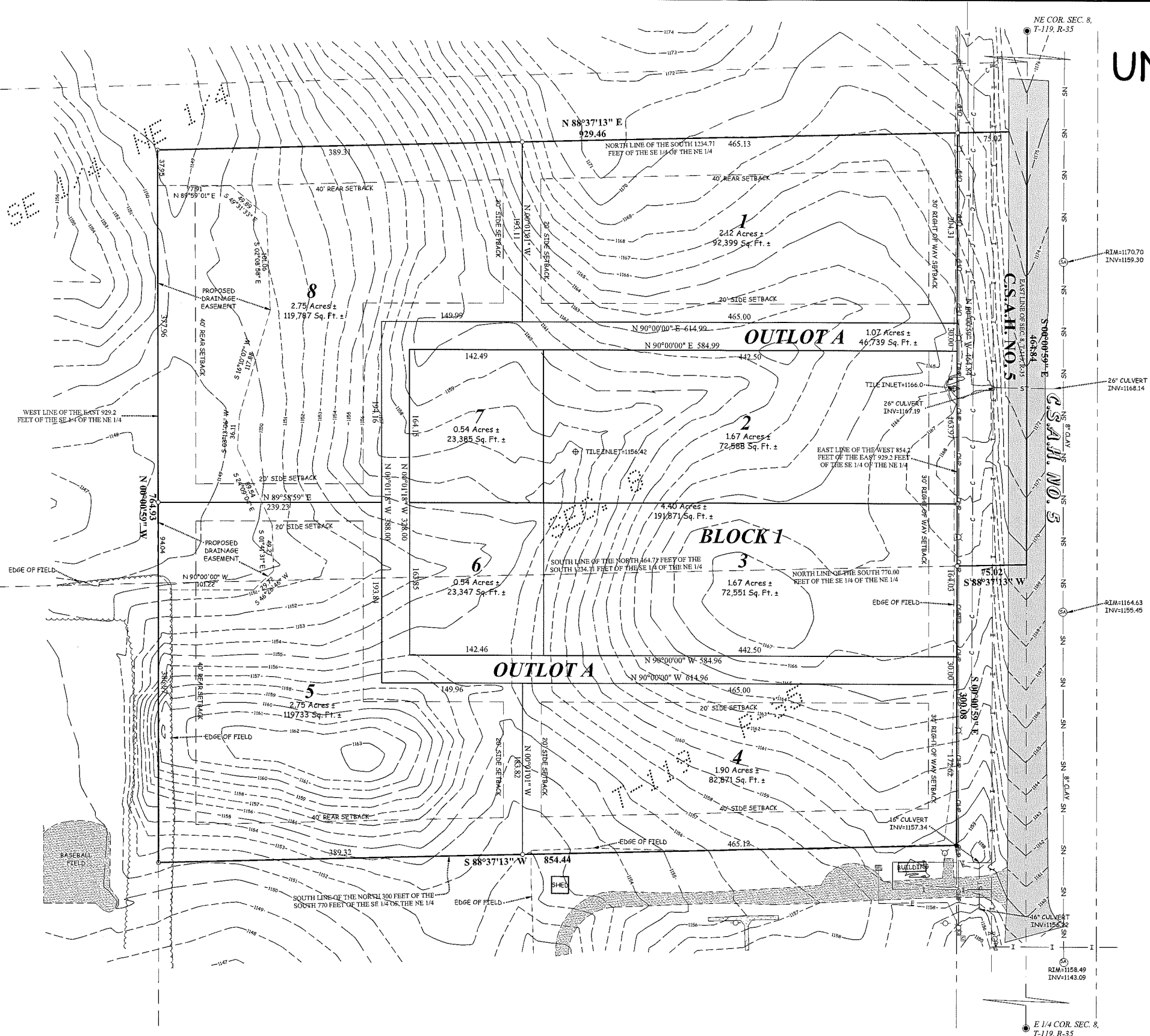
LEGAL DESCRIPTION

The North 764.71 feet of the South 1234.71 feet of the East 929.20 feet of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 8, Township 119, Range 35, Kandiyohi County, Minnesota.
EXCEPT
The East 75.00 feet of the North 300.00 feet of the South 770.00 feet of said SE 1/4 of the NE 1/4.
Subject to easements of record.

TOTAL AREA=15.80 Acres ±
AREA OUTSIDE OF RIGHT OF WAY = 15.00 Acres ±



- Legend
- INDICATES IRON MONUMENT PLACED
 - INDICATES IRON MONUMENT FOUND
 - ⊙ INDICATES KANDIYOHI COUNTY CAST IRON MONUMENT
 - ST— INDICATES STORM SEWER LINE
 - SN— INDICATES SANITARY SEWER LINE
 - I— INDICATES UNDERGROUND WATER
 - E— INDICATES UNDERGROUND ELECTRIC
 - T— INDICATES UNDERGROUND TELEPHONE
 - C— INDICATES UNDERGROUND CABLE
 - OP— INDICATES OVERHEAD POWER
 - ⊕ INDICATES SANITARY MANHOLE
 - ⊕ INDICATES WATER VALVE
 - ⊕ INDICATES HYDRANT
 - ⊕ INDICATES POWER POLE
 - ⊕ INDICATES LIGHT POLE
 - ⊕ INDICATES ELECTRIC PEDESTAL
 - ⊕ INDICATES TELEPHONE PEDESTAL
 - ⊕ INDICATES CABLE PEDESTAL
 - ⊕ INDICATES TILE INTAKE
 - ~ INDICATES TREE LINE
 - ▨ INDICATES BITUMINOUS SURFACE
 - ▨ INDICATES CONCRETE SURFACE
 - ▨ INDICATES GRAVEL SURFACE



NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

PRELIMINARY PLAT PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.
340 CHAPEL HILL RD.
COLD SPRING, MN 56320
PH. 320-685-5905
FAX 320-685-3056
1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012
FAX 320-685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
BENJAMIN C. O'MALLEY
MINNESOTA REGISTRATION NO. 42300
DATE: 10-30-2018

SHEET 1 OF 1

PRELIMINARY PLAT PREPARED FOR:
UNIQUE OPPORTUNITIES LLC
JOB NO: 2018-501
FILE NAME: 2018-501.dwg
LOCATION: 8-119-35

2nd Ave SE Street Vacation



December 6, 2018

1:2,257



RESOLUTION NO. 18-01

RESOLUTION RECOMMENDING STREET ROW VACATION

BE IT RESOLVED by the Willmar Planning Commission that it hereby recommends to the Willmar City Council the vacation of the portion of the dedicated road right-of-way as described below:

Vacate all that part of SECOND AVENUE SOUTH (currently known as Second Avenue Southeast), as delineated and dedicated on the plat of ERICKSON'S SECOND ADDITION TO THE CITY OF WILLMAR, MINNESOTA, described as follows: That portion of said Second Avenue Southeast lying Westerly of the Northerly extension of the East line of Block 14 in said Erickson's Second Addition to the City of Willmar, Minnesota and lying Easterly of the Southerly extension of the East line of Block 4 in said Erickson's Second Addition to the City of Willmar, Minnesota.

Dated this 19th day of December 2018.

CHAIR

Attest:

SECRETARY

PLANNING COMMISSION – JANUARY 2, 2019

STAFF COMMENTS

1. UNIQUE OPPORTUNITIES PUD CONDITIONAL USE PERMIT – FILE NO 18-05:

- The applicant is JH, LLC of Fergus Falls, MN.
- The applicant is requesting a conditional use permit for a Planned Unit Development that would consist of 4, 3-story 72-unit multi-family residential complexes on property described as: The North 764.71 feet of the South 1234.71 feet of the East 929.20 feet of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 8, Township 119, Range 35, Kandiyohi County Minnesota. EXCEPT the East 75.00 feet of the North 300.00 feet of the South 770.00 feet of said SE 1/4 of the NE 1/4. Subject to easements of record.
- The property is zoned R-5 (High Density Multi-Family Residential).
- The northern portion of this property was annexed into the City by an Orderly Annexation Joint Agreement between the City of Willmar and Willmar Township at the end of 2018, and it has been approved by the State of Minnesota.
- The land shall be platted.
- The property is 15.00 acres (not including right-of-way), and the building footprints will average about 23,000 sq ft each.
- All lots meet the minimum density and lot size under PUD Standards.
- 20' setbacks are requested along all PUD interior side and rear lot lines.
- All exterior property line setbacks abutting neighbor properties shall not alter from Zoning Ordinance Standards (North & South: 20' side yard setbacks; East: 30' front (right-of-way) setback; West: 40' rear yard setback). Submitted drawings well exceed these exterior property line setbacks.
- 579 parking spaces provided (576 spaces required at 2 spaces per unit).
- A Stormwater Detention Pond is indicated on the West end of the property.
- City water and sewer mains are available to the property. The City will charge a tapping fee for new connections.
- Most parcels front County Road 5 and 2 accesses are proposed via this same road. An Outlot is proposed for access to the Western landlocked parcels.
- The County will require road improvements (turn lane extension) to accommodate increased traffic at the developer's expense.
- The development will be built with high quality materials and the style will fit in with the area's residential neighborhoods.
- The development includes green space on the property and dedicated park space (?). Park Dedication fees will be required when platting the property. The property also borders a current City Park to the Southwest.
- The development contributes to workforce housing in Willmar (80% market-rate, no income restrictions), and is close to the College and transportation corridors.

RECOMMENDATION: Approve the conditional use permit with the following conditions:

- A. The Unique Opportunities Preliminary & Final Plat shall be approved by Planning Commission and City Council.
- B. Exterior property line setbacks abutting neighboring properties shall not alter from Zoning Ordinance Standards or a Variance shall be required.
- C. The Stormwater Ordinance shall be complied with and plans shall be approved by the Engineering Department.

- D. All road improvements shall be coordinated with the City of Willmar and Kandiyohi County and be financial responsibility of the developer.
- E. Parking lot layout shall adequately accommodate emergency service vehicles.
- F. The use shall meet all applicable local, state, and federal rules and regulations at all times.

2. UNIQUE OPPORTUNITIES PRELIMINARY PLAT – FILE NO 18-04:

- The applicant is JH, LLC of Fergus Falls, MN.
- The applicant is requesting a subdivision of land to allow a multi-family residential development (4, 3-story, 72-unit complexes) on property described as: The North 764.71 feet of the South 1234.71 feet of the East 929.20 feet of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 8, Township 119, Range 35, Kandiyohi County Minnesota. EXCEPT the East 75.00 feet of the North 300.00 feet of the South 770.00 feet of said SE 1/4 of the NE 1/4. Subject to easements of record.
- Most parcels front County Road 5 and 2 accesses are proposed via this same road.
- Outlot A is proposed for access to the Western landlocked parcels.
- The parcels are zoned R-5.
- The northern portion of this property was annexed into the City by an Orderly Annexation Joint Agreement between the City of Willmar and Willmar Township at the end of 2018, and it has been approved by the State of Minnesota.
- 20' setbacks are requested along all PUD interior side and rear lot lines.
- All exterior property line setbacks abutting neighbor properties shall not alter from Zoning Ordinance Standards (North & South: 20' side yard setbacks; East: 30' front (right-of-way) setback; West: 40' rear yard setback). Submitted drawings well exceed these exterior property line setbacks.
- A Conditional Use Permit for a Planned Unit Development has been submitted by the same applicant and the previous item was a review of the application.
- All lots meet the minimum density and lot size under PUD Standards.

Kandiyohi County Engineering Comments:

1. Approach permit is required.
2. This section of CSAH 5 will be required to be converted to a 3 lane section by adding a lane along with appropriate turn lanes for safety.
3. ROW is adequate and therefore no additional ROW width required to be dedicated.
4. Sanitary Sewer, Water main, hydrants etc. will require the appropriate permits from Kandiyohi County.
5. Developer Agreement with Kandiyohi County required or add our requirements to the City of Willmar's Agreement.

Fire Chief/Marshall Comments: I have reviewed the Unique Opportunities LLC Plat. There are a few items to be addressed:

1. The number of fire hydrants will be determined based on final building plans. It appears that there are four hydrants located on the corners of the driveway.
2. The turning radius of the driveway around the buildings and garage area must meet the turning radius of our largest fire apparatus.

Engineering/Public Works Comments: All internal street and utility infrastructure will be considered private systems. The C.S.A.H. No. 5 sanitary sewer line is at capacity. An extension of the City's 18" Western Interceptor Sanitary Sewer should be constructed from the intersection of 33rd Street NW and 7th

Avenue NW to the north property line of proposed plat. Cost share with the City will need to be addressed as far as oversizing and engineering.

MUC Comments: Availability from water & electric will be ok. 10" water main is on the West side of County Road 5 and electric 3 phase is also in designated (maps included). A 10 foot utility easement along the exterior property lines is requested for electric infrastructure.

RECOMMENDATION: Approve the preliminary plat with the following conditions:

- A. PUD Conditional Use Permit shall be approved by Planning Commission.
- B. Declarations/covenants for the internal access (Outlot A) to land locked parcels shall be submitted to Staff and recorded concurrently with plat for ease of tractability.
- C. A 10' utility easement shall be added along the Northern, Eastern, Southern, and Western most property lines.
- D. All Kandiyohi County Engineering, Fire Chief/Marshall, Engineering/Public Works, and MUC comments shall be met, adhered to, and additional information supplied as requested.

3. 2nd AVE SE STREET VACATION – FILE NO 18-01:

- Marcus Real Estate and Investments LLC and BPO Elks Lodge #952 have petitioned for vacation of a portion of 2nd Ave SE, West of 20th St SE described as follows: a portion of 2nd Ave SE lying Westerly of the Northerly extension of the East line of Block 14, Erickson's Second Addition to the City of Willmar, Minnesota and lying Easterly of the Southerly extension of the East line of Block 4 in said Erickson's Second Addition to the City of Willmar, Minnesota.
- Marcus Real Estate and Investments, LLC owns the property to the North, East, and majority of the land to the South. BPO Elks Lodge #952 owns the property to the Southwest.
- Historically, this was an entrance to Elm Lane.

MUC Comments: There are no WMU water or electric facilities in the marked area.

Engineering/Public Works Comments: No issues.

Private Utility Comments

Charter Comments: Charter Communications has no active facilities in the area of the vacation.

CenturyLink Comments: The area that is shown in this vacation petition is clear of any CenturyLink facilities. CenturyLink has no objection to the vacation of the portion of land shown as 2nd Ave SE.

CenterPoint Energy Comments: CenterPoint Energy has no objection or issues related to vacating 2nd Avenue SE in Willmar, MN.

Windstream Comments: We are clear (of any utilities in this portion of 2nd Ave SE).

RECOMMENDATION: Approve the resolution for street vacation for 2nd Ave SE as described above.